

AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 16, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-13431 - APPLICANT: GEORGE GEKAKIS, INC. -

OWNER: SOUTHERN TRACE HOLDINGS, LLC, ET AL

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (5-1/sd vote) recommends APPROVAL, subject to:

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.050 for Senior Citizen Apartments use.
2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-13428), Variance (VAR-13430), Variance (VAR-13429), Waiver (WVR-13432), and Vacation (VAC-13433) shall be required.
3. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
4. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**** STAFF REPORT ****

APPLICATION REQUEST

This is a request for a Special Use Permit for a proposed four-story Senior Citizen Apartment development adjacent to the west side of Effinger Lane, approximately 300 feet south of Harris Avenue.

EXECUTIVE SUMMARY

Per one of the conditions for Senior Citizen Apartments, developments of this type must provide a transition to less intensive development. The transition provided by this development is not adequate as the proposal does not meet current Residential Adjacency setback standards and the proposed wall height exceeds that allowed by Title 19. As such, Staff cannot make a finding for approval of this proposal.

BACKGROUND INFORMATION

A) *Related Actions*

- 07/13/06 The Planning Commission recommended approval of companion items WVR-13432, VAR-13429, VAR-13430, SDR-13428 and VAC-13433 concurrently with this application.
- 07/13/06 The Planning Commission voted 5-1/sd to recommend APPROVAL (PC Agenda Item #22/stf).

B) *Pre-Application Meeting*

- 03/08/06 Staff informed the applicant of the required landscaping for this type of project. The submittal requirements for the necessary applications were also discussed.

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Net Acres: 2.14

B) *Existing Land Use*

Subject Property: Vacant Lot; Senior Apartments
North: Vacant Lot; Multi-Family Residential; Single Family Residential
South: Nevada Power Substation; Vacant Lot; Multi-Family Residential
East: Single Family Residential; Multi-Family Residential
West: Multi-Family Residential; Commercial Center

C) *Planned Land Use*

Subject Property: M (Medium Density Residential)
North: L (Low Density Residential); M (Medium Density Residential)
South: PF (Public Facilities); SC (Service Commercial); M (Medium Density Residential)
East: L (Low Density Residential); M (Medium Density Residential)
West: M (Medium Density Residential); SC (Service Commercial)

D) *Existing Zoning*

Subject Property: R-E (Residence Estates) under ROI to R-3 (Medium Density Residential)
North: R-E (Residence Estates); R-3 (Medium Density Residential)
South: C-V (Civic); R-E (Residence Estates); R-3 (Medium Density Residential); R-PD16 (Residential Planned Development – 16 units per acre)
East: R-E (Residence Estates); R-3 (Medium Density Residential)
West: R-3 (Medium Density Residential)

E) *General Plan Compliance*

The subject property is located in the Southeast Sector of the General Plan and has a land use designation of M (Medium Density Residential). This designation allows up to 25 units per acre and a variety of multi-family housing options. The underlying zoning of R-3 (Medium Density Residential) is compatible with the land use designation.

<i>SPECIAL DISTRICTS/ZONES</i>	Yes	No
Special Area Plan		X
Special Overlay District		X
Trails		X
Rural Preservation Overlay District		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

ANALYSIS

A) *Zoning Code Compliance*

A1) Parking and Traffic Standards

Pursuant to Title 19.10, the following Parking Standards apply to the subject proposal:

Uses	GFA	Required			Provided	
		Ratio	Parking		Parking	
			Regular	Handicap	Regular	Handicap
Senior Citizen Apartments	210 Units (including developed portion of site)	.75 Space per Unit	158	6	213	6
TOTAL			158 (including handicap)		213 (including handicap)	

The subject proposal is providing more spaces than are required. Of the 213 provided, 156 are covered spaces. Part of the parking will be accommodated on a vacated portion of Poppy Lane.

Pursuant to Title 19.08, the following Standards apply to the subject proposal:

Standards	Code Requirement	Provided
Trash Enclosure	Gated, Roofed, and Constructed of a similar material to the primary structure	Interior to the building

B) General Analysis and Discussion

- Zoning

The proposed use complies with Title 19 standards in that Senior Housing Developments are allowed to be four stories in height with a Special Use Permit. However, Residential Adjacency Standards are not met by the proposal.

- Use

Staff cannot make a finding that the subject proposal meets the condition, from Title 19.04, that the structure provides an adequate transition to less intensive development. Specifically, Residential Adjacency Standards are in place to protect single family residential property from development of this scale. As a Variance from this requirement is being requested, Staff cannot support it. Additionally, the proposed provision of a 10-foot wall will not ease the transition as it will be out of character with the surrounding area.

- Conditions

1. The structures shall be compatible with the scale and massing of the type of development allowed in the applicable zoning district and shall provide a transition to less intensive development.
2. Rooflines and façade elements shall be articulated in order to break down the apparent massing of the structures.

FINDINGS

In order to approve a Special Use Permit application, per Title 19.18.060 the Planning Commission and City Council must affirm the following:

1. **“The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan.”**

The proposal is not compatible with surrounding land uses in that it is too tall for its location. If Residential Adjacency Standards could be met, the proposal would provide a better transition to surrounding R-E (Residence Estates) single family lots.

2. **“The subject site is physically suitable for the type and intensity of land use proposed.”**

Development of a parcel zoned R-3 can accommodate development of the type proposed. However, the surrounding area is not suited for the intensity of the project proposed.

3. **“Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use.”**

The proposed addition to the existing senior housing development will be interior to the site. Access to the current apartment development is from McKnight Street.

4. **“Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan.”**

Staff cannot make a finding that this proposal protects the public health, safety and general welfare, particularly of those residents adjacent to the project who will be greatly affected by both the building and the wall surrounding the property.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 11

ASSEMBLY DISTRICT 28

SENATE DISTRICT 2

NOTICES MAILED 185 by City Clerk

APPROVALS 0

PROTESTS 0